

By: Munoz, Jr.

H.B. No. 1768

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of roadside vendors and solicitors in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 285.001, Transportation Code, is amended to read as follows:

Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND SOLICITOR.

(a) To promote the public safety, the commissioners court of a county with a population of more than 740,000 [~~1.3 million~~] by order may regulate the following in the unincorporated area of the county if they occur on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot:

(1) the sale of items by a vendor of food or merchandise, including live animals;

(2) the erection, maintenance, or placement of a structure by a vendor of food or merchandise, including live animals; and

(3) the solicitation of money.

(b) A county by order may authorize certain county employees to issue citations for a violation of Subsection (a).

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.